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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/227,780 01/08/99 SOBOTS

J

EXAMINER
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QM41/0619

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HOUSTON TX 77277-0161

PARADISO, J	
ART UNIT	PAPER NUMBER

3721

DATE MAILED:

8

06/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**

Application No.

09/227,780

Applicant(s)

SOBOTS, JOHN

Examiner

John R. Paradiso

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3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-19 is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Response to Arguments***

2. In Applicant's Request for Reconsideration entered 3/27/2001, Applicant states that "Bodenmann et al. specifically teaches away from time domain multiplexing by requiring sequenced transmission of multiple devices instead. For multiple device operation, Bodenmann et al. teaches that the first device transmits over a short interval and then stops transmission so that the second device can begin transmission." Applicant points to BODENMANN ET AL column 7 lines 38-48 as a reference.

Examiner acknowledges and agrees with Applicant on this point.

#### ***Claim Rejections - 35 USC § 103***

3. Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over BODENMANN ET AL.

BODENMANN ET AL discloses a method of control and system for controlling a computer (20) such as for a video game with an associated receiver (25) for receiving the wireless transmissions of a set of peripherals such as game controllers (10). The peripherals each

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have a housing, sensors for detecting the movements and controls of a player, and a transmitter that sends information to the game receiver, the information including the input from the sensors and the address of the sender unit. The computer sends information back to the peripherals as well. (See BODENMANN ET AL columns 1, 2, and 4-6 and figures 1 and 7-10.)

While BODENMANN ET AL implies but does not specifically disclose using a form of time domain multiplexing to convey several different items of information using separate time intervals, it is nonetheless **capable** of being modified to do so and therefor meets claims 1 and 8 of the instant application and their dependent claims as well.

*Allowable Subject Matter*

4. Claims 14-19 are allowed.

5. The following is an examiner's statement of reasons for allowance of claims 14-19: the prior art could not alone or in combination anticipate or make obvious a method for communicating between a user and an electronic game or a game controller in which the sender uses time domain multiplexed transmissions to communicate with the individual game controller(s).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

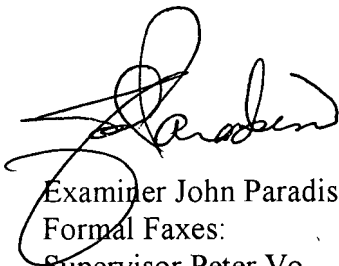
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*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 8:30 a.m. – 5:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center receptionist.



Examiner John Paradiso

Formal Faxes:

Supervisor Peter Vo

Receptionist

(703) 308-2825

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June 14, 2001